

Legal Issues Readings: Questions

- 1) In Legal Duties and Responsibilities Section 4.8 Flag Exercises, it states: School districts are required to cause appropriate flag exercises to be held in each classroom at the beginning of the school day for students who desire to recite the salute to the flag.... State law, however, provides no penalties for teachers who refuse to lead the flag salute. Teachers have a constitutional right to refuse to participate in flag exercises.” So, if a teacher chooses to have the class say the Pledge of Allegiance every morning, do the students have the same constitutional right to not recite the Pledge? Especially in Elementary classes, I have seen the teacher lead the Pledge and expect all students to be reciting it out loud. Can the student ever be disciplined for choosing to not participate?

- 2) The Washington Education Association has provided the Legal Duties and Responsibilities. Shouldn't all teachers, districts, administrators etc. be held to the same standard? Would it be possible to have a set of standards that are the same across the nation to adhere to? Who is responsible for enforcing these standards, and who would, for instance, decide if a teacher was fired based on not maintaining discipline? (“Teachers shall maintain good order and discipline in their classroom at all times. Any neglect of this requirement shall constitute sufficient cause for dismissal.” WAC 180-44-020)